REMARKS

Claims 1 and 3-5 are pending in this application. By this amendment, Applicants have amended claims 1 and 3-5. Applicants respectfully submit that claims 1 and 3-5 do not contain new matter and that the invention, as defined by claims 1 and 3-5, is patentable over the prior art.

Based on the foregoing amendments and the following Remarks, the application is deemed to be in condition for allowance and action to that end is respectfully requested.

I. THE 35 U.S.C. §112 REJECTIONS AND "FORMAL" MATTERS:

The Examiner asserts that Claim 3 is rejected under 35 U.S.C. § 112, first paragraph, as being indefinite for failing to comply with the written description requirement. The Examiner also asserts that claims 4 and 5 are rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory matter.

As noted above, Applicants have amended Claims 1 and 3-5 so as to overcome the 35 U.S.C. § 112 rejections. Applicants respectfully submit that support for the limitations in claim 1 with respect to "limiting, by the packet switched conferencing server, one or more of the first plurality of active speaker clients" may be found in the specification of U.S. Patent Pub. No. 2002/0107923 (Application No. 10/072,175) in at least paragraphs [0012], [0040] and [0046].

Also, Applicants have amended claims 4 and 5 to require, among other things, "A computer program product carrying a computer program and embodied in a computer usable medium adapted for . . ". and that the aforementioned amendments overcome the

35 U.S.C. § 101 rejections. Applicants respectfully submit that the above amendments to each of the respective claims provides the clarification sought by the Examiner.

In view of the foregoing, Applicants respectfully submit that claim 3 is in compliance with 35 U.S.C. § 112. The Applicants also respectfully submit that claims 4 and 5 are in compliance with the 35 U.S.C. § 101. In view of the foregoing, Applicants respectfully request that the Examiner's 35 U.S.C. § 112 and 35 U.S.C. § 101 rejections be withdrawn,

II. THE 35 U.S.C. §103 REJECTIONS:

The Examiner asserts that claims 1 and 3-5 are rejected under 35 U.S.C. §103(a) as being unpatentable over Baxley et al., U.S. Patent Pub. 2004/0085913 (hereinafter "Baxley") in view of Kung et al., U.S. Patent 6,671,262 (hereinafter "Kung"), in view of Polcyn, U.S. Patent No. 6,594,269 (hereinafter "Polcyn"), in further view of Vega-Garcia et al., U.S. Patent No. 6,839,734 (hereinafter "Vega-Garcia")..

As noted above, Applicants have amended claims 1 and 3-5 so as to more clearly distinguish the invention, as defined by such claims, over the prior art. Applicants therefore respectfully submit that the invention, as claimed in claims 1 and 3-5 is patentable over the known prior art, including the cited references.

Applicants submit that support for the limitations in independent claims 1 and 3-5 may be found in the specification of U.S. Patent Pub. 2002/0107923 (Application No. 10/072,175) in at least paragraphs [0012]-[0015], [0019], [0040] and [0046].

Applicants respectfully submit that Baxley, Kung, Polcyn, Vega-Garcia, and any combination thereof, do not disclose, teach, or suggest a method comprising

"establishing, by the packet-switched conferencing server, a connection to the circuit-switched conferencing server", "designating the connection as an active speaker connection on the packet-switched conferencing server", "designating a first client of the first plurality of clients connected to the packet switched conferencing server as a first active speaker by the packet-switched conferencing server", "designating a second client of the first plurality of clients connected to the packet switched conferencing server as a second active speaker by the packet switched conferencing server", "designating a third client of the second plurality of clients connected to the circuit switched conferencing server as a third active speaker by the circuit-switch conferencing server", "designating a fourth client of the second plurality of clients connected to the circuit switched conferencing as a fourth active speaker by the circuit switched conferencing server", "limiting, by the packet-switched conferencing server, one or more of the first plurality of clients added to the active speaker connection", "receiving by the packet switched conference server, over the active speaker connection, a first combined audio packet from the circuit-switched conferencing server, wherein the first combined audio packet is a mixture of audio packets received from the third client and received from the fourth client", "receiving by the third client the first combined audio packet without an audio packet transmitted by the third client and receiving by the fourth client the first combined audio packet without an audio packet transmitted by the fourth client", "receiving, by the packet-switched conferencing server, a first audio packet from the first client and a second audio packet from the second client of the first plurality of clients", "wherein the plurality of first and second audio packets are received using an asynchronous transmission method", "forwarding, over the active speaker connection, a second

combined audio packet to the circuit-switched conferencing server, wherein the second combined audio packet is a mixture of the first audio packet and the second audio packet", "mixing the first combined audio packet with the second combined audio packets from the first plurality of clients into a composite packet", "forwarding the composite packet to each of the first plurality of clients connected to the packet-switched conferencing server, wherein the first client receives the composite packet without the composite packet containing an audio packet transmitted from the first client and the second client receives the composite packet without the composite packet containing an audio packet transmitted from the second client", "wherein the first and second plurality of clients, using varying equipment and protocols, can simultaneously participate in a single audio conference application", "wherein the packet-switched conferencing server is independent from the circuit-switched conferencing server", and "wherein the packet-switched conferencing server keeps a list of the first plurality of clients who have been designated as an active speaker", all of which are specifically recited features of independent claim 1.

In view of the foregoing, Applicants respectfully submit that Baxley, Kung, Polcyn, Vega-Garcia, and any combination of same, do not disclose, teach, or suggest all of the specifically recited features of independent claim 1 and, therefore, Applicants respectfully submit that the invention, as defined by independent claim 1, is patentable over Baxley, Kung, Polcyn, Vega-Garcia, and any combination thereof.

Further, Applicants respectfully submit that Baxley, Kung, Polcyn, Vega-Garcia, and any combination thereof, do not disclose, teach, or suggest a method comprising "establishing, by the circuit-switched conferencing server, a connection to the packet-

switched conferencing server", "designating the connection as an active speaker connection on the circuit-switched conferencing server", "designating a first client of the first plurality of clients as an active speaker on the circuit-switched conferencing server", "designating a second client of the first plurality of clients as a second active speaker by the circuit switched conferencing server", "designating a third client of the second plurality of clients as a third active speaker by the packet-switched conferencing server", "designating a fourth client of the second plurality of clients as a fourth active speaker by the packet switched conferencing server", "limiting, by the packet-switched conferencing server, one or more of the first plurality of active speaker clients added to the connection", "receiving, over the connection, a first combined audio packet from the packet-switched conferencing server, wherein the first combined audio packet is a mixture of packets received from each of the third and fourth clients of the second plurality of clients who have been designated as an active speaker by the packet-switched conferencing server; wherein the mixture of packets are received using an asynchronous transmission method", "receiving, by the circuit-switched conferencing server, a first audio packet from the first client and a second audio packet from the second client, wherein the ~~of~~ first and second audio packets are received from each of the first plurality of clients who have been designated as an active speaker by the circuit-switched conferencing server", "mixing the first combined audio packet, the first audio packet and the second audio packet into one composite audio packet", "forwarding the composite audio packet to each of the first plurality of clients connected to the circuit-switched conferencing server", "forwarding, over the connection, the second audio packet to the packet-switched conferencing server", "wherein the first and second plurality of clients,

using varying equipment and protocols, can simultaneously participate in a single audio conference application, wherein the first client receives the composite packet without the composite packet containing an audio packet transmitted from the first client and the second client receives the composite packet without the composite packet containing an audio packet transmitted from the second client", "wherein the packet-switched conferencing server is independent from the circuit-switched conferencing server", "wherein the packet-switched conferencing server keeps a list of the first plurality of clients who have been designated as an active speaker", all of which are specifically recited features of independent claim 3.

In view of the foregoing, Applicants respectfully submit that Baxley, Kung, Polcyn, Vega-Garcia and any combination of same, do not disclose, teach, or suggest all of the specifically recited features of independent claim 3 and, therefore, Applicant respectfully submits that the invention, as defined by independent claim 3, is patentable over Baxley, Kung, Polcyn, Vega-Garcia and any combination thereof.

Further, Applicants respectfully submit that Baxley, Kung, Polcyn, Vega-Garcia, and any combination thereof, do not disclose, teach, or suggest a computer program product comprising "first computer readable program code means for causing said computer to establish, by said packet-switched conferencing server, a connection to said circuit-switched conferencing server", "second computer readable program code means for causing said computer to designate said connection as an active speaker on said packet-switched conferencing server", "third computer readable program code means for causing said computer to designate one or more of said first plurality of clients as an active speaker on said packet-switched conferencing server", "fourth computer readable

program code means for causing said computer to designate one or more of said second plurality of clients as an active speaker on said circuit-switched conferencing server", "fifth computer readable code means for causing said computer to limit, by said packet-switched conferencing server, one or more of said first plurality of active speaker clients added to said connection", "sixth computer readable program code means for causing said computer to receive, over said connection, a first audio packet from said circuit-switched conferencing server, wherein said first audio packet is a mixture of packets received from each of said second plurality of clients who have been designated as an active speaker by said circuit-switched conferencing server", "seventh computer readable program code means for causing said computer to forward said first audio packet to each of said first plurality of clients connected to said packet-switched conferencing server", "eighth computer readable program code means for causing said computer to receive, by said packet-switched conferencing server, a plurality of audio packets, wherein said plurality of audio packets comprises a second audio packet from each of said first plurality of clients who have been designated as an active speaker by said packet-switched conferencing server; wherein said plurality of audio packets are received using an asynchronous transmission method", "ninth computer readable program code means for causing said computer to forward, over said connection, said second audio packet to said circuit-switched conferencing server", "whereby said first and second plurality of clients, using varying equipment and protocols, can simultaneously participate in a single audio conference application", "whereby said packet-switched conferencing server is independent from said circuit-switched conferencing server", "whereby said packet-switched conferencing server keeps a list of said first plurality of clients who have been

designated as an active speaker", "wherein each client of the second plurality of clients receives said second audio packet without the second audio packet containing an audio packet transmitted from the each client of the second plurality of clients used to make up the second audio packet, thereby eliminating echo in the transmission", all of which are specifically recited features of independent claim 4.

In view of the foregoing, Applicants respectfully submit that Baxley, Kung, Polcyn, Vega-Garcia and any combination of same, do not disclose, teach, or suggest all of the specifically recited features of independent claim 4 and, therefore, Applicant respectfully submits that the invention, as defined by independent claim 4, is patentable over Baxley, Kung, Polcyn, Vega-Garcia and any combination thereof.

Also, Applicants respectfully submit that Baxley, Kung, Polcyn, Vega-Garcia, and any combination thereof, do not disclose, teach, or suggest a computer program product comprising "first computer readable program code means for causing said computer to establish, by said circuit-switched conferencing server, a connection to said packet-switched conferencing server", "second computer readable program code means for causing said computer to designate said connection as an active speaker on said circuit-switched conferencing server", "third computer readable program code means for causing said computer to designate one or more of said first plurality of clients as an active speaker on said circuit-switched conferencing server", "fourth computer readable program code means for causing said computer to designate one or more of said second plurality of clients as an active speaker on said packet-switched conferencing server", "fifth computer readable program code means for causing said computer to limit, by said packet-switched conferencing server, one or more of said second plurality of active

speaker clients added to the connection", "sixth computer readable program code means for causing said computer to receive, over said connection, a first audio packet from said packet-switched conferencing server, wherein said first audio packet is a mixture of packets received from each of said second plurality of clients who have been designated as an active speaker by said packet-switched conferencing server; wherein said mixture of packets are received using an asynchronous transmission method", "seventh computer readable program code means for causing said computer to receive, by said circuit-switched conferencing server, a plurality of audio packets, wherein said plurality of audio packets comprises a second audio packet from each of said first plurality of clients who have been designated as an active speaker by said packet-switched conferencing server", "eighth computer readable program code means for causing said computer to mix said first audio packet and said second audio packet into one combined audio packet", "ninth computer readable program code means for causing said computer to forward said one combined audio packet to each of said first plurality of clients connected to said circuit-switched conferencing server", "tenth computer readable program code means for causing said computer to forward, over said connection, said second audio packet to said packet-switched conferencing server", "whereby said first and second plurality of clients, using varying equipment and protocols, can simultaneously participate in a single audio conference application", "whereby said packet-switched conferencing server is independent from said circuit-switched conferencing server", "whereby said packet-switched conferencing server keeps a list of said second plurality of clients who have been designated as an active speaker", "wherein each client of the first plurality of clients receives said combined audio packet without the combined audio packet containing an

audio packet transmitted from the each client of the first plurality of clients used to make up the combined audio packet, thereby eliminating echo in the transmission", all of which are specifically recited features of independent claim 5.

In view of the foregoing, Applicants respectfully submits that Baxley, Kung, Polcyn, Vega-Garcia and any combination of same, do not disclose, teach, or suggest all of the specifically recited features of independent claim 5 and, therefore, Applicant respectfully submits that the invention, as defined by independent claim 5, is patentable over Baxley, Kung, Polcyn, Vega-Garcia and any combination thereof.

III. CONCLUSION:

In view of the foregoing, the application is deemed to be in condition for allowance and action to that end is respectfully requested. Allowance of pending claims 1 and 3-5 is, therefore, respectfully requested.

Should any changes to the claims and/or specification be deemed necessary to place the application in condition for allowance, the Examiner is respectfully requested to contact the undersigned attorney to discuss the same. In the event that any additional fee is required for the entry of this amendment the Patent and Trademark Office is specifically authorized to charge such fee to Deposit Account No. 23-0420 in the name of Ward & Olivo.

For the reasons discussed above, all pending claims are allowable over the cited art. Reconsideration and allowance of all pending claims is respectfully requested.

Respectfully submitted,

Date 8/11/09

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